

THE HONORABLE TIFFANY M. CARTWRIGHT

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

TRINA CHRISTIE, in her Personal Capacity
and as Personal Representative of the Estate of
ANTHONY R. CHRISTIE, deceased; C.C., a
minor, in his personal capacity,

Plaintiffs,

v.

STATE OF WASHINGTON, DEPARTMENT
OF CORRECTIONS; JULIE MARTIN; ROB
HERZOG; KEVIN BOVENCAMP; MARY JO
CURREY; JACK WARNER; CHRISTOPHER
HALLGREN; STEFAN ROSE; KODY
ANGELL; JOHN GEISLER; RADU
MURESAN; WILLIAM HALL; DIANNA
MULL; ARBEN KULLOJKA; VALARIE
HERRINGTON; TROY BUSHEY; AREIG
AWAD; JACOB MILLER; ELAINE
GRAVATT; and JOHN DOES 1-20,

Defendants.

NO. 3:22-cv-05692-TMC

**ORDER GRANTING MOTION TO
APPOINT SETTLEMENT
GUARDIAN AD LITEM**

Plaintiffs have moved this Court for an order appointing a SGAL (“SGAL”) for purposes of pursuing potential settlement in the above-captioned matter. Plaintiffs’ motion is hereby GRANTED.

Now, therefore, it is ORDERED:

1 A. SGAL BRUCE A. WOLF is a suitable disinterested person having the requisite
2 knowledge, training, and expertise to perform the duties required by Local Court Rule
3 17, and is hereby appointed to represent the interests of Anthony Christie's minor child.

4 B. The SGAL shall be paid at a flat fee of \$5,000.00.

5 C. The SGAL shall have the following duties:

6 1. To investigate and evaluate the adequacy of any offered settlement in light of
7 the needs and best interests of Anthony Christie's minor child.

8 2. To review written or oral reports from the attorneys and guardians necessary to
9 permit and complete a report as required by Local Court Rule 17.

10 3. To provide the Court and the parties with a report, which shall include a
11 description, in depth appropriate to the magnitude of injuries and the amount
12 offered, of the following information:

13 a. Summary: State the amount of the settlement that you are
14 recommending and how the net proceeds will be distributed. Include
15 the name, phone number, and address of each living parent or legal
16 guardian and another relative.

17 b. Appointment: State your name, bar license number, date of
18 appointment, and the date that you started working on this matter. Give
19 a brief statement of your experience and qualifications as they pertain
20 to serving as a SGAL or attach a curriculum vitae with this information.
21 Describe your relationship, if any, with involved parents, guardians,
22 insurers, or attorneys.

23 c. Investigation: Describe the investigation you conducted, the persons
24 interviewed, and the documents that you reviewed.

- 1 d. Description of Incident and Cause of Action: Describe the incident and
2 the affected minor's legal claims.
- 3 e. Injuries and Losses: Describe the injuries, diagnoses, or losses incurred
4 by the subject matter of the incident.
- 5 f. Damages: Describe the special and general damages that are potentially
6 recoverable.
- 7 g. Liability Issues: Describe the factors bearing on each potential
8 defendant person or entity's liability, including issues of primary
9 negligence, contributory or comparative negligence, causation, and
10 probable chance of recovery.
- 11 h. Insurance and Assets Available to Satisfy Claim: State the nature and
12 extent of all insurance coverage or assets available to satisfy the claim,
13 whether maintained through the defendant(s), family, or government
14 entitlements.
- 15 i. Liens and Subrogation: Identify all liens, subrogation, and
16 reimbursement claims. Make a recommendation regarding how those
17 claims are to be resolved, including a recommendation regarding
18 retention in any attorney's trust account of the full amount claimed
19 until the final resolution of the claim.
- 20 j. Other Claims: Identify all other claims arising out of the same
21 occurrence. State whether another person has a claim arising out of the
22 same occurrence and whether any other person is or could be a plaintiff
23 or defendant in any action based upon the minor's claims or the
24 occurrences from which they arose.

- 1 k. Apportionment: Indicate the amount, basis, and justification for
2 allocating the gross settlement to be paid among the various claimants.
3 State whether the minor was independently represented at the time the
4 proposed apportionment was determined.
- 5 l. Proposed Settlement: Discuss and evaluate the reasonableness of the
6 proposed settlement amount, stating the basis for your valuation of the
7 claim. Also discuss the form the settlement might take (e.g. blocked
8 account, guardianship, structured settlement, or trust) and the proposed
9 settlement documents.
- 10 m. Expenses and Fees: Discuss and evaluate the reasonableness of the
11 attorney's fees requested, costs to be reimbursed, and any other
12 deductions from the proceeds of the claim.
- 13 n. Disposition of Net Proceeds: Set forth your calculation of the net
14 proceeds of the claim. Give your reasons and recommendations
15 regarding as to how the funds should be placed. If legal guardianship
16 is required, state the nominee and terms that you recommend. If you
17 recommend a structured settlement, state why that option is preferred;
18 the specific payout schedule recommended and how it relates to the
19 specific needs of the minor; and a statement including the cost of the
20 structured portion, interest rate received, the name and financial rating
21 of the company providing the annuity. If you or any party recommend
22 the creation of a trust as the recipient of the funds, give your
23 recommendation as to the special needs of the minor and how they
24 would be served by having a trust; specific provisions that ought to be
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1 included or omitted from the trust; and your nomination of a
2 professional to draft the trust and a recommended fee therefore.

3 o. SGAL Fees: Attach a declaration of your time and services, giving your
4 professional rate and the amounts sought. Indicate who you
5 recommend pay for these fees and costs.

6 p. Presence at Hearing: State whether the minor or the SGAL or other
7 person(s) should be present at any hearing to approve any settlement.

8 q. Approval in Other Jurisdiction: State whether any settlement will be
9 submitted for approval in any other court or jurisdiction.

10 r. Conclusion: Give your recommendation as to the adequacy of the
11 offered settlement and the steps to be followed if you recommend that
12 the settlement not be approved.

13 4. The SGAL shall file a report with the Court within thirty (30) days after any
14 settlement is reached and a CR2A has been signed.

15 5. To accomplish all other duties required by law and any order of the Court.

16 D. The cost of bringing this proceeding and the SGAL's fee will be paid as approved as a
17 part of any settlement or is reserved for determination at the time the settlement is
18 submitted to the Court.

19 E. The SGAL shall not employ or retain counsel or experts to assist in these duties except
20 as authorized in advance by the Court and shall promptly advise the Court if others have
21 retained such a person without Court authorization, including, but not limited to, the
22 retention of counsel to initiate litigation or draft a trust.

23 F. The SGAL may seek instruction from the Court upon application and notice to all
24 parties. If records or portions of the report contain confidential information which may
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adversely affect the settlement of trial of the claim, the SGAL shall seek direction from the Court.

DATED this 13th day of September, 2024.

A handwritten signature in black ink, appearing to read 'Tiffany M. Cartwright', is written over a solid horizontal line.

Tiffany M. Cartwright
United States District Judge